

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: Marcos C. Tzannes	)	Patent No.: 6,961,369
Application No.: 09/710,310	)	Issued: November 1, 2005
Filed: November 9, 2000	)	Examiner: NGUYEN, Dung X
Atty. File No.: 6936-47	)	Confirmation No.: 5605

For: SYSTEM AND METHOD FOR SCRAMBLING THE PHASE OF THE CARRIERS IN  
A MULTICARRIER COMMUNICATIONS SYSTEM

**REQUEST FOR REFUND OF MAINTENANCE  
FEE UNDER § 37 C.F.R. 1.26**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Madam:

This Request for Refund is filed pursuant to 37 U.S.C. 1.26 and MPEP 607.02.

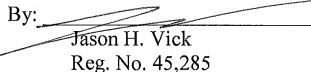
On December 28, 2012, Applicants erroneously paid the 8<sup>th</sup> year Maintenance Fee payment for the referenced patent as a large entity when it should have been paid as a small entity. On November 7, 2012, Applicants submitted an "Assertion of Entitlement to Small Entity Status" with the USPTO. A copy of the Assertion is attached herewith. Applicants' status is now Small Entity and therefore should have paid \$1450.00 for the 8<sup>th</sup> year maintenance fee instead of the \$2900.00.

Applicants respectfully request a refund of \$1450.00 in the above-referenced patent.

Applicant respectfully requests that the \$1450.00 be refunded to Deposit Account No. 19-1970 (6936-47).

Respectfully submitted,  
SHERIDAN ROSS P.C.

Date: 25 Jan 13

By:   
Jason H. Vick  
Reg. No. 45,285  
1560 Broadway, Suite 1200  
Denver, Colorado 80202  
Telephone: 303-863-9700

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	14170370
<b>Application Number:</b>	09710310
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	5605
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR SCRAMBLING THE PHASE OF THE CARRIERS IN A MULTICARRIER COMMUNICATIONS SYSTEM
<b>First Named Inventor/Applicant Name:</b>	MARCOS C. TZANNES
<b>Customer Number:</b>	181
<b>Filer:</b>	Jason Vick/Joanne Vos
<b>Filer Authorized By:</b>	Jason Vick
<b>Attorney Docket Number:</b>	AWR-017 (457/19)
<b>Receipt Date:</b>	07-NOV-2012
<b>Filing Date:</b>	09-NOV-2000
<b>Time Stamp:</b>	14:16:36
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		EntityStatus_373c_w_POA.pdf	418846 59642654985e9759490abb4746eadcd519 05a5c	yes	4

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Miscellaneous Incoming Letter	1	1
Assignee showing of ownership per 37 CFR 3.73.	2	3
Power of Attorney	4	4

**Warnings:**

**Information:**

**Total Files Size (in bytes):**

418846

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: Marcos C. Tzannes	)	Patent No.: 6,961,369
Application No.: 09/710,310	)	Issued: November 1, 2005
Filed: November 9, 2000	)	Examiner: NGUYEN, Dung X
Atty. File No.: 6936-47	)	Confirmation No.: 5605

For: SYSTEM AND METHOD FOR SCRAMBLING THE PHASE OF THE CARRIERS IN  
A MULTICARRIER COMMUNICATIONS SYSTEM

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Madam:

In accordance with MPEP §§ 509.02 and 509.03 and 37 CFR 1.27, this document is being filed to inform the U.S. Patent Office of the change of status for the above-identified patent from large entity status to small entity status. All fees paid to date have been paid as large entity status. No fees have yet been paid as small entity status. Due to the sale of the referenced patent, the Applicant is now entitled to small entity status.

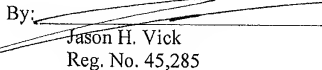
We respectfully request that small entity status be granted for the above-referenced patent.

Please contact the undersigned if there are any questions regarding this notification.

Respectfully submitted,

SHERIDAN ROSS P.C.

Date: 7-1-12

By:   
Jason H. Vick  
Reg. No. 45,285  
1560 Broadway, Suite 1200  
Denver, Colorado 80202  
Telephone: 303-863-9700

**STATEMENT UNDER 37 CFR 3.73(c)**

Applicant/Patent Owner: TQ DELTA, LLC

Application No./Patent No.: 6,961,369

Filed/Issue Date: November 1, 2005

Title: SYSTEM AND METHOD FOR SCRAMBLING THE PHASE OF THE CARRIERS IN A MULTICARRIER COMMUNICATIONS SYSTEM

TQ DELTA, LLC, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose one of options 1, 2, 3 or 4 below):

1. ☒ The assignee of the entire right, title, and interest.

2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):

☐ The extent (by percentage) of its ownership interest is \_\_\_\_%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.

☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (e.g., bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose one of options A or B below):

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Marcos C. Tzannes To: AWARE, INC.

The document was recorded in the United States Patent and Trademark Office at  
Reel 010877, Frame 0307, or for which a copy thereof is attached.

2. From: AWARE, INC. To: TQ DELTA, LLC

The document was recorded in the United States Patent and Trademark Office at  
Reel 029154, Frame 0937, or for which a copy thereof is attached.

[Page 1 of 2]

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

**STATEMENT UNDER 37 CFR 3.73(c)**

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

4. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

5. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

6. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☒ As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Jason H. Vick

Printed or Typed Name

Date

45,285

Title or Registration Number

## POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(c).

I hereby appoint:

☒ Practitioner(s) associated with Customer Number: 62574

**OR**

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

Name	Registration Number

As attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignments documents attached to this form in accordance with 37 CFR 3.73(c).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(c) to:

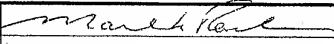
☒ The address associated with Customer Number: 62574

**OR**

<input type="checkbox"/>	Firm or Individual Name			
	Address			
	City	State	Zip	
	Country			
	Telephone	Email		

Assignee Name and Address: TQ DELTA, LLC  
805 Las Cimas Parkway, Suite 240  
Austin, Texas 78746

A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of The practitioners appointed in this form, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record		
The individual whose signature and title is supplied below is authorized to act on behalf of the assignee		
Signature		Date 10/4/12
Name	Mark K. Roche	Telephone 512-609-1810
Title	Managing Director	

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.